

173-204-200 Definitions

- All definitions likely considered WQS.
- Would like to further discuss the definition of regional background in the SMS and the definition for natural background in MTCA and how they apply.
- Would like to further understand the difference between sediment cleanup objective, sediment cleanup standard and sediment quality standard and if these are new concepts or if they are in the existing version of the SMS.
- Remainder of the revisions to the definitions appear to be reasonable.

173-204-500 Overview of sediment cleanup decision process and policies.

- Revised provisions (5)(a), (5)(b), (6) likely considered WQS.
- Remainder of provisions likely not considered WQS.
- A better understanding of the difference between sediment cleanup objective and sediment cleanup standards would be helpful, but it appears this is simply background information about the structure of the SMS that may be unchanged. Is that correct?

173-204-510 Screening sediment station clusters of potential concern.

- Likely not considered WQS.

173-204-520 Cleanup screening levels criteria.

- Likely considered WQS but entire section moved to 173-204-572; further explanation provided in that section.

173-204-530 Hazard assessment and site identification.

- Likely not considered WQS.

173-204-540 Evaluating and list of sites.

- Likely not considered WQS.

173-204-550 Types of cleanup and authority.

- Likely not considered WQS.

173-204-560 Remedial investigation and feasibility study.

- Likely not considered WQS.

173-204-570 Sediment cleanup standards - General considerations.

- Entire section likely considered WQS.
- Would like to understand sediment cleanup standards for sediment cleanup objectives better – was this the existing framework? What is the effective standard and what number is implemented?
- With the exception of revised provisions (3)(e) and (4)(h), the revisions to this section appear to simply incorporate the human health, freshwater, and ecological health risks from bioaccumulative chemicals sections.

- Would like to further discuss the meaning of the provisions at (3)(e) and (4)(h) relative to natural background and regional background and whether they only apply to human health.
- Would like to further discuss what “no significant threat to human health” means in provisions (3)(b) and (3)(e).

173-204-571 Sediment cleanup standards based on risks to human health.

- Entire section likely considered WQS.
- Would like to discuss and better understand how the sediment cleanup objective versus the maximum allowable level works.
- In provisions (2)(a) and (3)(a) it appears that the hazard quotient can never exceed 1. Is that correct or does the second sentence change that?
- Would like to further discuss (2)(c) and (3)(c). How does the natural condition definition from MTCA apply here? Can it be anthropogenically influenced? Similarly, how does the regional background provision work? It appears that natural conditions or regional background trump the risk based criteria for human health. If the designated uses are the same as in the WQS, how do different targets in the SMS and WQS work? Unlike aquatic life, EPA’s WQS policy is that natural conditions cannot be used for human health unless it can be shown that human health designated uses are protected.
- Can sediment impact zones be used for human health?
- How does the FCR in (4)(a) work? Is there an equation to input this value into and how does it interface with 54 g/day FCR in MTCA?

173-204-572 Cleanup screening levels based on benthic toxicity in marine sediment.

- Entire section likely considered WQS.
- It looks like there are little (if any) substantive revisions to this section. The structure/framework and criteria tables all seem identical to the current version of the SMS – just reorganized. Is that correct? If that’s the case, there will likely be little review needed for this section and ESA consultation will likely not be necessary.

173-204-573 Cleanup screening levels and sediment quality standards based on benthic toxicity in freshwater sediment.

- Entire section likely considered WQS.
- It appears this section is structured identically (regarding sediment quality standards and cleanup screening levels) to the marine section. Is that correct?
- Would like to discuss/learn more about how the sediment quality standards and cleanup screening levels values were derived and how the two are implemented.
- Since this section and the criteria values within it are new, will likely need ESA consultation.
- How does implementation of less stringent freshwater values work in transition zones in which more stringent marine values are applicable downstream?

173-204-574 Sediment cleanup standards based on ecological risks from bioaccumulative chemicals.

- Entire section likely considered WQS.

- Seems like a good narrative standard to include in the SMS. Would be interested in knowing more about how it is expected to be implemented.
- Since this section is new, it will likely need ESA consultation as it relates to aquatic life.
- Would like to discuss more about the provision at (2)(b) and how it works with natural conditions.

173-204-580 Selection of cleanup actions.

- Likely not considered WQS.

173-204-585 Cleanup action decisions.

- Likely not considered WQS.

173-204-590 Sediment recovery zones.

- Revised provisions (1) and (2)(a) likely considered WQS. (5)(b) could possibly be considered a WQS as well. The revisions to these provisions appear to be primarily non-substantive.
- Remainder of provisions likely not considered WQS.